

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEMICAPS PTE LTD,
Plaintiff,

v.

HAMAMATSU CORPORATION, et al.,
Defendants.

Case No. [17-cv-03440-DMR](#)

CASE MANAGEMENT ORDER

The court held an initial case management conference on May 1, 2019. A further case management conference is set for September 4, 2019 at 1:30 p.m. The parties shall file their joint case management statement by August 28, 2019.

The court adopted the parties' proposal regarding discovery, as set forth below:

The parties agree that attorney-client privileged communications and work product created after June 14, 2017 do not need to be included on a privilege log.

In addition, the parties agree that communications and drafts exchanged between counsel and the experts in this case are not discoverable. Communications between the parties or representatives of the parties (other than counsel) with the expert will be discoverable only to the extent relied upon by the expert.

The normal rules regarding inadvertent disclosure of privileged materials found in the Federal Rules of Civil Procedure, e.g. FRCP 26, and the Federal Rules of Evidence, e.g. FRE 502, shall apply to this action.

Depositions

Fact Discovery: 70 hours of deposition, inclusive of 30(b)(6) depositions and third-party depositions, in accordance with the Federal Rules of Civil Procedure. The parties agree that reasonable accommodations will be made for depositions that require translations, but absent

agreement between the parties or a compelling reason, such translated depositions will not exceed 10.5 hours for any witness, and such accommodations will not count against the hour limit. The parties may meet and confer regarding further additional depositions or additional time for a particular witness, if necessary.

Expert Discovery: Each side is entitled to one seven-hour deposition of each expert disclosed by the other side per each report such expert submits. The parties may meet and confer further regarding additional limits on expert discovery. Should either side submit a declaration or report from an expert regarding claim construction, the expert shall also be made available for deposition limited to issues in the declaration after the submission of such declaration or report and before the other side's responsive claim construction brief.

Interrogatories

25 interrogatories for each side.

Requests for Production

No limit.

Requests for Admission

50 requests for admission for each side; requests for admission of the authenticity of a document or thing do not count against the limit.

The court set the following case schedule:

Event	Date
Complaint Filed	6/14/17
Disclosure of Asserted Claims and Infringement Contentions and Accompanying Document Production	5/15/2019
Hamamatsu's Response to Complaint	5/24/2019
Disclosure of Invalidity Contentions and Accompanying Document Production (if any)	7/1/2019
Exchange of Proposed Terms for Construction	7/15/2019
Exchange of Preliminary Claim Constructions and Extrinsic Evidence	8/5/2019

1	Disclosure of Damages Contentions	8/20/2019
2	Joint Claim Construction Statement	8/30/2019
3	Disclosure of Responsive Damages Contentions	9/19/2019
4	Complete Claim Construction Discovery	9/30/2019
5	SEMICAPS Opening Claim Construction Brief	10/14/2019
6	Hamamatsu's Responsive Claim Construction Brief	10/28/2019
7	SEMICAPS Reply Claim Construction Brief	11/4/2019
8	Tutorial	1/3/2020 at 11:00 am
9	Claim Construction Hearing	1/9/2020 at 11:00 am
10		
11	Close of Fact Discovery	The later of June 30, 2020 or 90 days after Claim Construction Order (CCO)
12	Designate Opening Experts and Serve Reports	The later of September 30, 2020 or CCO + 120 days
13	Designate Rebuttal Experts and Serve Reports	Thirty days after service of Opening Expert reports
14	Close of Expert Discovery	Thirty days after service of Rebuttal Expert reports
15	Dispositive (Summary Judgment) Motions	Forty-five days after close of Expert Discovery
16	Hearing on Dispositive Motions	TBD
17	Pretrial Conference	TBD
18	Trial	TBD

IT IS SO ORDERED.

Dated: May 2, 2019

